LOCAL SELF-GOVERNMENT AND PLANNING SECRETARIAT

Sanctions the Rules for the Levy and Collection of Duty in the form of surcharge on transfers of immoveable properties in Belur Town Municipality.

READ—

Letter No. R4. C. 2260-1084—52, dated 25th March 1953, from the Commissioner for Local Self-Government, requesting sanction to the draft rules framed in regard to the levy and collection of duties in the form of surcharge under Sections 46 (1) (h) and 61 (xiii) read with Section 65 (1) and (3) of the Mysore Town Municipalities Act, 1951, on transfers of immoveable properties in Belur Town in accordance with the resolution of the Municipal Council dated 29th November 1952 and stating that the prescribed formalities have been observed and no objections have been received in this behalf.

ORDER No L. 406-412—ML. 91-52-86, DATED BANGALORE, THE 15TH APRIL 1953.

The proposal of the Belur Town Municipal Council is sanctioned. The rules are approved and appended to this order.

The above levy will come into force with effect from 15th May 1953.

G. V. K. RAO,
Secretary to Government,
Local Self-Government and
Planning Departments.

ANNEXURE.

Rules framed by the Belur Town Municipal Council under Sections 46 (1) (h) and 61 (xiii) read with section 65 (1) and (3) of the Mysore Town Municipalities Act, 1951, for regulating the levy and collection of the duty on transfers of immoveable property in the form of a Surcharge to be levied by the Belur Town Municipal Council.

1. (i) The transfer duty imposed under sub-clause (xiii) of clause (*b*) of Section 61 and Section 65 of the Mysore Town Municipalities Act, 1951 on the instruments of sale, gift and mortgage of immoveable property situated within the limits of the Belur Town Municipality where the levy of surcharge has been sanctioned by Government, executed after the introduction of the above duty, shall be paid and recovered in the same manner and under the same procedure as the ordinary duty imposed on such instruments by the Mysore Stamp Act, 1900.

(ii) A rate of one per cent on the amount of consideration, the value of the property or the amount secured by the mortgage as set forth in the instruments shall be levied.

2. (i) Whenever any instrument referred to in Rule 1 is presented before the Registering Officer, he shall see whether the particulars referred to in section 27 of the Mysore Stamp Act, 1900, are set forth separately in the instrument in respect of the property situated within the limits of the Belur Town Municipality as required by Section 65 of the Mysore Town Municipalities Act, 1951.

(ii) If the said particulars be not so separately set forth in any such instruments, the said officer must impound it and forward it to the nearest officer exercising powers of a Deputy Commissioner under Section 40 of the Mysore Stamp Act, 1900, calling his attention to Section 64 of the Mysore Stamp Act, 1900, as extended by Section 65 of the Mysore Town Municipalities Act, 1951.

3. (i) Every Registering Officer who registers any instrument referred to in Rule 1 shall keep an account of the duty paid in respect of each such instrument, showing separately the duty imposed by the Mysore Stamp Act, 1900 and the transfer duty imposed by the Mysore Town Municipalities Act, 1951. If the Registering Officer has jurisdiction over more than one Municipality, separate account shall be maintained for each Municipality. In these accounts, the duty recovered by other Registering Officers in respect of properties situated in this Municipality, shall also be included.

(ii) The said accounts shall be consolidated quarterly, under the orders of the Inspector-General of Registration and each quarterly consolidated account shall be sent by him to the Accountant-General, Mysore, Bangalore, within two months after the close of the quarter.

4. If, in any case, it be impossible to recover the full duty payable on any instrument referred to in Rule 1, then only such portion of the duty realised on such instrument as is in excess of duty imposed by the Mysore Stamp Act, 1900, shall be treated in the said accounts as duty imposed by Section 65 of the Mysore Town Municipalities Act, 1951.

5. The Accountant-General, Mysore, Bangalore, shall, within three months after the close of each quarter, arrange to pay the President of this Municipal Council so much of the duty shown in the said consolidated accounts as represents the transfer duty imposed by Section 65 of the Mysore Town Municipalities Act, 1951.

6. A commission of one per cent shall be paid to the State Government for the collection of transfer duty and the same shall be deducted before the payment of the amount due under these rules to this Municipal Council.

LAW SECRETARIAT

Accords sanction to the Raising of the Maximum Marks and Duration of some Question Papers of the Mysore Local Service and Pleaders' Examinations.

READ—

Letter No. 571, dated 26th December 1952, from the Secretary, Mysore Local Service and Pleaders' Examinations Board, requesting sanction to the resolution of the Board of Management, Mysore Local Service and Pleaders' Examinations Board, in the matter of raising the maximum marks of some question papers and also their duration.

ORDER No. 6071-81—L.E. 17-52-2, DATED BANGALORE, THE 4TH FEBRUARY 1953.

Under the existing rules relating to the Mysore Local Service and Pleaders' Examinations, question papers set for the examinations conducted by the Board, carry maximum number of marks varying from 80 to 150 and the duration of the papers also varies from 1½ hours to 3 hours.

2. It is reported that the Board of Management, Mysore Local Service and Pleaders' Examinations, are of opinion that there should be only two categories of papers, both in regard to the hours of duration and the maximum number of marks allotted and accordingly the following Resolution was passed by the Board at their meeting held on 11th November 1952 :—

> "Such of the papers which have got a maximum of 80 marks should be upgraded to papers of 100 marks each and that papers of 1½ hours duration may be converted into papers of 2 hours duration."

3. The Secretary, Mysore Local Service and Pleaders' Examinations Board, has solicited sanction of Government to the above Resolution of the Board.

4. Sanction is accorded to the above Resolution of the Board.

5. Sanction is also accorded to the consequential amendments to the Rules relating to the Mysore Local Service and Pleaders' Examinations as detailed below :—

On page 2, under "3.	Criminal Examination (Higher and Lower Grades)", substitute '100' for the figure '80' occurring under the column 'Maximum number of marks for each subject' against (*a*) Evidence.
On page 3, under "4.	Excise Examination", substitute '2 hours' for '1½ hours' occurring under the column 'Time allowed.'
On page 4, under "7.	Forest Examination", substitute '2 hours 'for' 1½ hours' occurring under the column 'Time allowed.'
On page 5, under "11.	Sales Tax Examination (Higher and Lower Grades)", substitute '100' for the figure '80' occurring under the column 'Maximum number of marks for each subject' against the paper on "Allied Acts and Rules thereunder."

M. SADASIVAYYA,
Secretary to Government,
Law Department.

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